



PATENT  
ATTORNEY DOCKET NO.: 013306-5001-02

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

*In re* APPLICATION of:

Fanie Retief VAN HEERDEN *et al.*

Application. No.: 10/073,357

Filed: February 13, 2002

FOR: PHARMACEUTICAL COMPOSITIONS  
HAVING APPETITE SUPPRESSANT  
ACTIVITY

)  
) Group Art Unit: 1623  
)  
) Examiner: Devesh Khare  
)  
)  
)

Commissioner of Patents  
U.S. Patent and Trademark Office  
2011 South Clark Place  
Customer Window  
Crystal Plaza Two, Lobby, Room 1B03  
Arlington, VA 22202

Date: August 11, 2003

Sir:

**TERMINAL DISCLAIMER**  
(by Attorney)  
**Re: Double-Patenting Rejection**

The owner, **CSIR**, of **100** percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §§ 154 to 156 and 173, as presently shortened by any terminal disclaimer, of prior **U.S. Patent No. 6,376,657 B1**. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

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In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. §§ 154 to 156 and 173 of the prior patent, as shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Applicants hereby authorize the disclaimer fee of \$110.00 under 37 C.F.R. § 1.20(d) to be charged to Applicants' Deposit Account No. 50-0310.

The undersigned is an attorney of record.

Date: August 11, 2003  
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